



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Lisa A. Roudabush
General Manager
United States Steel Corporation
Mon Valley Works
PO Box 878
Dravosburg, Pennsylvania 15034

JUN 30 2009

Dear Ms. Roudabush:

The United States Environmental Protection Agency ("EPA") Region III hereby requires United States Steel Corporation ("USS") to provide certain information as part of an EPA investigation to determine the Clean Air Act ("CAA" or "the Act") compliance status of the Clairton Works located in Clairton, PA.

Pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a), the Administrator of EPA is authorized to require any person who owns and/or operates an emission source to establish and maintain records, make reports and provide such other information as he may reasonably require for the purposes of determining whether such person is in violation of any provision of the Act. In order for EPA to determine whether a violation has occurred, you are hereby required, pursuant to Section 114(a) of the CAA, to provide responses to the following questions and requests for information regarding your coke production facility. Therefore, you are hereby required to respond to questions and requests for information in Enclosure 2 within the time period specified. (See Enclosure 1 for instructions and definitions) All information submitted in response to this request must be certified as true, correct, accurate and complete by an individual with sufficient knowledge and authority to make such representations on behalf of USS.

Failure to provide the required information may result in the issuance of an Order requiring compliance with the requirements, or the initiation of a civil action pursuant to Section 113(b) of the Act, 42 U.S.C. § 7413(b). In addition, § 113(c)(2) of the Act provides that any person who knowingly makes any false material statement, representation, or certification in, or omits material information from any document required pursuant to this Act shall upon conviction be punished by a fine pursuant to Title 18 of the United States Code, or by imprisonment for not more than two years, or both. The information you provide may be used by EPA in administrative, civil and criminal proceedings.

You are entitled to assert a business confidentiality claim, covering all or part of the information which this letter requires, except that no such claim can be made with respect to



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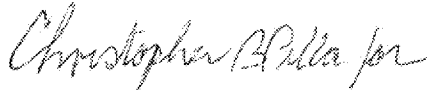
emission data as defined at 40 C.F.R. § 2.301(a)(2). Any such claim should be made in accordance with the procedures described at 40 C.F.R. § 2.203(b). EPA will provide the public with information subject to a claim of business confidentiality only in accordance with the procedures set forth at 40 C.F.R. Part 2, Subpart B. EPA may provide the public with any information not subject to such a claim without further notice. See Enclosure 3 for more information regarding business confidentiality. The required submission of information pursuant to Section 114 is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Sections 3501, et seq.

EPA requires USS to submit the information requested in Enclosure (2) no later than fourteen (14) calendar days after receipt of this letter. EPA requires that USS report any changes or revisions to the information supplied within seven (7) days after the change or revision is made. This requirement to provide EPA with changed or revised information shall remain in effect until EPA provides USS with written notice of its termination. Please submit your response to this request to:

Mr. Christopher B. Pilla, Chief
U.S. Environmental Protection Agency
Region – III Air Enforcement Branch (3AP12)
1650 Arch Street
Philadelphia, PA 19103-2029

If you have any questions regarding this information request, please contact Ms. Erin Smith of the Air Protection Division, at (215) 814-2152.

Sincerely,



Diana Esher, Acting Director
Air Protection Division

Enclosures

cc: Marie Kelly, ACHD
William U. Clark, ACHD
Kevin Probst, Koppers, Inc.



ENCLOSURE 1:

A. INSTRUCTIONS

1. Please provide a separate narrative response to each question and subpart of a question set forth in this Information Request and precede each answer with the number of the question to which it corresponds.
2. Indicate on each document produced in response to this Information Request, or in some other reasonable manner, the number of the question to which it corresponds.
3. Provide as much information possible to completely answer each question. This includes all supporting documentation, such as performance test reports, inspection records, memorandums, facility records, etc. Failure to completely respond to any questions may increase the time necessary to determine compliance with all applicable regulations.
4. For each document provided in response to these questions, provide an accurate and legible copy, which can be used to determine the completeness of this request. For any information submitted electronically, clearly label to which question(s) the data is responsive.
5. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
6. Where documents or information necessary for a response are neither in your possession nor available to you, indicate in your response why such documents or information is not available or in your possession and identify any source that either possesses or is likely to possess such information.

B. DEFINITIONS

1. All terms used in the Information Request will have their ordinary meaning unless such terms are defined in the Act, 42 U.S.C. § 7401, 40 C.F.R. Part 60, Subparts HH and OOO, 40 C.F.R. Part 63, Subpart AAAAAA or 40 C.F.R. Part 52 (which incorporates the Federally-approved State Implementation Plan). Reference is made to the EPA regulatory provisions only; however, you should apply the applicable federally-approved state provisions when appropriate. Definitional clarification for several terms is specified below.
2. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hard copy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include (a) any copy of each document which is not an exact duplicate of a document which is produced; (b) each copy which has any writing, notation, or the like on it; (c) drafts; (d) attachments to or enclosures with any



document; and (e) every other document referred to or incorporated into each document.

3. The term "air pollution control device" includes all equipment installed for the purpose of reducing air pollutant emissions and all process equipment that may have been installed for other purposes but has the practical effect of reducing air pollutant emissions.
4. The term "stationary source" means any building, structure, facility, or installation which emits or may emit any air pollutant.
5. The term "air pollutant(s)" shall, for the purpose of this request, be limited to:
 - a. Sulfur Dioxide (SO₂);
 - b. Oxides of Nitrogen (NO_x);
 - c. Carbon Monoxide (CO);
 - d. Hazardous Air Pollutants (HAPs), as defined by Section 112 of the CAA;
 - e. Particulate Matter (TSP, PM₁₀, PM_{2.5});
 - f. Volatile Organic Compounds (VOC).
6. The term "continuous emission monitor" shall mean, for the purpose of this request, the total equipment used to sample, analyze, and provide a permanent record of emissions or process parameters.
7. The term "facility" means all contiguous or adjoining property that is under common ownership or control, including properties that are separated only by a road or other public right-of-way.



ENCLOSURE 2

When referencing the "ammonia still" in the questions below, EPA is specifically referring to the ammonia still located at USS's Clairton Works that treats benzene waste generated by Koppers, Inc. and USS.

1. Provide process flow diagrams or other facility diagrams of all benzene waste piping, sumps, pumps and tanks located at the Clairton Works.
2. Provide sample results demonstrating percent benzene in wastes conveyed to the ammonia still at the Clairton Works for the time period 1993-2009.
3. Provide flow monitoring data for benzene waste contributions to the ammonia still for the years 1993-2009.
4. Provide any agreement, contract and/or correspondence, formal or informal, between Koppers, Inc. and USS for the conveyance and treatment of benzene wastes.
5. Provide engineering calculations and/or performance tests demonstrating the efficiency of the ammonia still and any associated auxiliary equipment for treatment of benzene wastes.
6. Explain the operation of the ammonia still and the treatment mechanism(s) utilized to treat benzene waste by the still.
7. Provide documentation and discussion of how Koppers, Inc. and USS handled the separate NESHAP reporting and record-keeping requirements, as requested by EPA in its March 5, 1993 Subpart FF Applicability Determination requested by Koppers, Inc.
8. Explain what portion, if any, of the "Ammonia Still Effluent" value reported in USS's annual TAB reports consists of waste generated by Koppers, Inc., and how this value is calculated each year for the years 1993-2009.
9. Describe how USS manages its own and Koppers, Inc. benzene waste in the event of a shutdown or malfunction of the ammonia still.
10. Demonstrate how USS measures the effluent flow from the ammonia still and how it differentiates between USS and Koppers, Inc. flows.



ENCLOSURE 3

Confidential Business Information (CBI) Assertion and Substantiation Requirements

A. Assertion Requirements

You may assert a business confidentiality claim covering all or part of the information requested in response to this information request, as provided in 40 C.F.R. Section 2.203(b). You may assert a business confidentiality claim covering such information by placing on (or attaching to) the information you desire to assert a confidentiality claim, at the time it is submitted to EPA, a cover sheet, stamped, or typed legend (or other suitable form of notice) employing language such as "trade secret," "proprietary," "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified, and may be submitted separately to facilitate identification and handling by EPA. If you desire confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state. Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in Section 114(c) of the Clean Air Act (the Act) and 40 C.F.R. Part 2. EPA will construe the failure to furnish a confidentiality claim with your response to the attached letter as a waiver of that claim, and the information may be made available to the public without further notice to you.

B. Substantiation Requirements

All confidentiality claims are subject to EPA verification in accordance with 40 C.F.R. Part 2, subpart B. The criteria for determining whether material claimed as confidential is entitled to such treatment are set forth at 40 C.F.R. Sections 2.208 and 2.301, which provide, in part, that you must satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; that the information is not and has not been reasonably obtainable by legitimate means without your consent; and the disclosure of the information is likely to cause substantial harm to your business's competitive edge.

Pursuant to 40 C.F.R. Part 2, subpart B, EPA may at any time send you a letter asking you to substantiate fully your CBI claim. If you receive such a letter, you must provide EPA with a response within the number of days set forth in the EPA request letter. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential. You must be specific by page, paragraph, and sentence when identifying the information subject to your claim. Any information not specifically identified as subject to a confidentiality claim may be disclosed without further notice to you. For each item or class of information that you identify as being subject to CBI, you must answer the following questions, giving as much detail as possible, in accordance with 40 C.F.R. 2.204(e):

1. What specific portions of the information are alleged to be entitled to confidential treatment?



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For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a specified event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.

2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question #1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available material such as the Internet, publicly available databases, promotional publications, annual reports, or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, explain with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?
7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Any other issue you deem relevant.

Please note that emission data provided under Section 114 of the Act, 42 U.S.C. Section 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2, subpart B. Emission data means, with reference to any source of emission of any substance into the air-

(A) Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

(B) Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including, to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and



(C) A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. Sections 2.301(a)(2)(i)(A), (B) and (C).

If you receive a request for a substantiation letter from the EPA, you bear the burden of substantiating your confidentiality claim. Conclusory allegations will be given little or no weight in the determination. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

